

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 2 and 13 were pending. Claim 2 has been cancelled, and Claim 13 has been amended, but no new matter has been added.

In the outstanding Office Action, Claim 13 was rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement; Claims 2 and 13 were rejected under 35 USC 102(b) as being anticipated by Kobayashi et al.; and the drawings were objected to.

Initially, Applicants wish to thank the Examiners for the interview on September 9, 2008.

The rejection under the first paragraph of 35 USC 112 and the objection to the drawings can be dealt with together. As discussed during the interview, amended independent Claim 13 defines the claimed subject matter in terms of two imaginary lines, one on each side of the center of gravity. The first imaginary line connects the tips of the guide rails to each other, and the other imaginary line connects the suspending points to each other.

During the interview, the Examiners at least tentatively agreed that that structure is both shown in the drawings and adequately disclosed for purposes of the first paragraph of 35 USC 112.

As for the anticipation rejection based on Kobayashi, Applicants respectfully submit that amended Claim 13 defines over that reference in two separate respects.

First, as Examiner Pico demonstrated during the interview by approximating the center of gravity as the intersection of two lines joining diametrically opposite corners of the elevator cab, in Kobayashi, the imaginary line connecting the tips of the rails is right on the center of gravity, not spaced from it on the opposite side from the imaginary line joining the

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two suspension points.

Second, in Kobayashi the hoist if above the hoistway, whereas amended independent Claim 13 recites that the hoist is “provided beneath the top of said hoistway.”

Applicants acknowledge that, while the Examiner Interview Summary Record indicates that “[t]he proposed amendments [to Claim 13] define[] over the prior art of record,” it also says that “a new prior art search will be conducted.” Applicants thank the Examiners for their careful and thorough examination of this application.

An early and favorable action on this application is respectfully requested.

Respectfully submitted,

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